

Wetlands Bureau Decision Report

Decisions Taken
02/11/2013 to 02/17/2013

*Reconsidered by
WHS
2/19/13*

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2011-02723 BURKE, LORI/MICHAEL
GORHAM Peabody River

Requested Action:

Proposal to retain an additional 24 linear feet of bank stabilization.

APPROVE AMENDMENT:

Dredge and fill approximately 4,991 sq. ft. (includes 1,315 sq. ft. of temporary impacts) of bed and bank of Peabody River to reconstruct/construct 424 linear foot berm and associated river bank and bed stabilization to protect adjacent properties "White Birch Lane (South)" from damage caused by Tropical Storm Irene. Work includes a combination of stone armoring and bioengineering techniques along approximately 424 linear feet of river bank and bed.

With Conditions:

1. All work shall be in accordance with plans by HEB Engineers Inc., dated October 21, 2010, as received by the NH Department of Environmental Services (DES) on October 26, 2011 and revised plan sheet C1.11 dated November 4, 2011, as received by DES on November 4, 2011 and plan dated November 7, 2011 as received by the Department on December 17, 2012.
2. The permittee shall designate a professional engineer who will be responsible for monitoring and ensuring that the areas are constructed in accordance with the plan.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. The permittee shall notify DES in writing of their intention to commence construction.
5. The permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

21. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

DES reaffirms findings 1 through 13.

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work is needed to address damages resulting from Tropical Storm Irene and to protect the river and adjacent property.
6. The approved design includes a combination of stone armoring and bioengineering river stabilization techniques.
7. This project does not require compensatory mitigation in accordance with Administrative Rule Env-Wt 302.03(c)(2).
8. DES has not received any comments in opposition to the project.
9. The Conservation Commission commented that they found the project acceptable.
10. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).
11. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
12. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
13. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-02819 ORSILLO, RICHARD & PATRICIA
GORHAM Peabody River**

Requested Action:

Retain repairs to approximately 135 linear feet of bank stabilization. Work included removing sloughing loam and vegetation and replacing with stone. The damage was caused by flood waters from Tropical Storm Sandy.

APPROVE AMENDMENT:

Impact 4,275 square feet of the bed and banks of the Peabody River to stabilize 250 linear feet of the bank by installing rip-rap and boulder deflectors along the bank. 1,350 square feet of the impacts are temporary for construction/access.

With Conditions:

1. All work shall be in accordance with plans by HEB Engineers Inc., dated November 7, 2011, as received by the NH Department of Environmental Services (DES) on November 21, 2011 and revised plan sheet 3 of 12 dated November 7, 2011, as received by DES on November 22, 2011 and revised plan sheets dated November 14, 2012, as received by DES on November 15, 2012.
2. The permittee shall designate a professional engineer who will be responsible for monitoring and ensuring that the areas are constructed in accordance with the plan.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. The permittee shall notify DES in writing of their intention to commence construction.

5. The permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
21. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

DES reaffirms findings 1 through 13.

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work is needed to address damages resulting from Tropical Storm Irene and to protect the river and adjacent property.
6. The approved design includes a combination of stone armoring and bioengineering river stabilization techniques.
7. This project does not require compensatory mitigation in accordance with Administrative Rule Env-Wt 302.03(c)(2).
8. DES has not received any comments in opposition to the project.
9. DES did not receive comments from the Conservation Commission.
10. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).
11. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
12. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the

public and will cause an operational or economic hardship to the applicant.

13. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

Additional finding:

14. The new repairs were conducted in response to damage caused by flood waters from Tropical Storm Sandy.

2012-02495

SUNAPEE, TOWN OF

SUNAPEE Sugar River

Requested Action:

Dredge and fill 585 square feet and temporarily impact 230 square feet of the Sugar River to replace the Lower Main Street Bridge deck and install abutment scour walls and riprap toe protection.

APPROVE PERMIT:

Dredge and fill 585 square feet and temporarily impact 230 square feet of the Sugar River to replace the Lower Main Street Bridge deck and install abutment scour walls and riprap toe protection.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated 9/6/2011, as received by the Department on September 13, 2012.
2. Work shall be done during low flow conditions and during the months.
3. New riprap in the channel bed shall be limited to riprap toe protection at river grade.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

18. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The proposed abutment scour walls are 8-inches in width and the riprap toe protection will be below the natural channel bed.
3. The stream crossing alternative design submitted in accordance with Env-Wt 904.09 states that the proposed bridge opening will provide more than one foot of free board during the 50-year storm and will pass the 100 year storm event without overtopping the road way.
4. The submitted Tier 3 replacement alternative design meets the General Design Criteria to the maximum extent practicable per Env-Wt 904.09.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2012-03136 GILSUM, TOWN OF
GILSUM Unnamed Stream

Requested Action:

Dredge and fill 853 square feet and temporarily impact 913 square feet of an unnamed perennial tributary to Beaver Brook for installation of a riprap toe associated with a 224 linear foot soldier pile and lagging wall; repair a damaged 84-inch x 56-inch arch culvert; regrade stream bed and install grade control in stream structures. The project is required to repair damages sustained during the May 2012 storm.

APPROVE PERMIT:

Dredge and fill 853 square feet and temporarily impact 913 square feet of an unnamed perennial tributary to Beaver Brook for installation of a riprap toe associated with a 224 linear foot soldier pile and lagging wall; repair a damaged 84-inch x 56-inch arch culvert; regrade stream bed and install grade control in stream structures. The project is required to repair damages sustained during the May 2012 storm.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers, dated October 2012, as received by DES on December 03, 2012.
2. The Town shall obtain the appropriate written permission from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2012-03136 prior to construction.
3. Extreme precautions shall be taken within stream bank and buffer areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.

4. Work shall be done during low flow conditions.
5. This permit is contingent on receipt, by the DES Wetlands Bureau, of the final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization and stream restoration is constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
23. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The project is required to repair damages sustained during the May 29, 2012, storm. During which the stream overtopped Belvedere Road at the arch culvert causing a wash out of a 200 foot section of road.
3. The storm eroded the road and stream down to or close to ledge.
4. The solder pile and lagging wall will be installed out of jurisdiction; 442 square feet of temporary impact and 14 square feet of permanent stream impact are proposed for riprap toe protection for the wall.
5. The application states that the existing 84-inch x 56-inch arch culvert carrying the Tier 2 unnamed stream has adequate capacity

to convey the 50-year storm.

6. Per Env-Wt 302.03(c)(2)(c), because the project involves only riprap or other bank stabilization to protect an existing City road, mitigation is not required.

7. The Natural Heritage Bureau report stated, "We currently have no recorded occurrence for sensitive species near this project area."

8. This permit is conditioned that the Town shall obtain the appropriate written permission from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2012-03136 prior to construction.

9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

12. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2010-01265 JOBEAN LLC
ALTON Unnamed Wetland

Requested Action:

Proposal to impact an additional 570 sq. ft. of wetlands.

APPROVE AMENDMENT:

Dredge and fill 3460 sq. ft. of wetlands for safe traffic access, parking and drainage structures for the expansion of existing commercial buildings.

With Conditions:

1. All work shall be in accordance with plans by A.C. Engineering & Consulting, et al., plan sheets C7, C8, and C9 dated May 13, 2010, and narratives by Stoney Ridge Environmental, LLC, as received by the NH Department of Environmental Services (DES) on May 19, 2010 and plan sheets C1, C2, C3, C4, C5, and C6 dated May 26, 2010, and narratives, as received by DES on August 16, 2010 and Amendment Plan and narratives by Stoney Ridge Environmental as received by DES on January 3, 2013.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

DES reaffirms the previous findings 1 through 7 with additional findings.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission submitted comments regarding the increase in impervious surface and need for additional efforts on stormwater treatment.
6. The applicant's agent provided revised plans including the use of a perforated pipe and dry well system and has indicated that there is no increase in impervious surfaces other than the wetland fill area.
7. The applicant's agent has addressed the NH Natural Heritage Bureau's identification of the State Threatened bald eagle being in the vicinity of the project site.

Additional findings:

8. The onsite impacts are now a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
9. Due to cumulative impacts with an adjacent project (File No. 2010-01580) the applicant has provided compensatory mitigation in the form of a payment to the Aquatic Resource Mitigation Fund of \$1,677.91 dollars.

2012-02459
SUNAPEE

PINATO, ROBERT

Requested Action:

Retain 4,933 square feet of palustrine forested wetlands fill including a garage, driveway and relocated septic tank.

APPROVE AFTER THE FACT:

Retain 4,933 square feet of palustrine forested wetlands fill including a garage, driveway and relocated septic tank.

With Conditions:

1. This approval is contingent on compliance with Restoration Plan Approval dated February 13, 2013.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The application was submitted in accordance with the Consent Decree issued by the State of New Hampshire v. Robert Pinato, Docket # 220-2011-CV-00094, which specifies the wetland impacts proposed to be retained by the application.
3. See file no. 2008-02242 for site history.
4. The consent decree also includes a wetland restoration plan component submitted under file no. 2008-02242 and a boardwalk over the restoration area.
5. This approval is contingent on compliance with Restoration Plan Approval dated February 15, 2013.
6. The submitted Natural Heritage Bureau (NHB) report stated, "We currently have no recorded occurrences for sensitive species near this project area."
7. The request for project review by the NH Division of Historical Resources has confirmed that no historic resources are present.
8. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written abutter permission requirement for projects within 20 feet of abutting property lines, as required by Env-Wt 304.04.
9. The impacts within the 20 foot setback have previously occurred and include a portion of the fill that encompasses sections of the garage and driveway.
10. The applicant has made four attempts over a five month period to contact the abutting property owners, including two letters sent via certified mail, email and phone.
11. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
12. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

2013-00272

KNAPIK, SUZANNE/THEODORE

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace an existing 6 ft. x 37 ft. piling supported dock with a 6 ft. x 36 ft. piling supported dock, add 3 tie off piles to the easterly slip, and install a 14 ft. x 30 ft. seasonal canopy on an average of 204 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

1/24/13 Con.Com has no objections.

APPROVE PERMIT:

Replace an existing 6 ft. x 37 ft. piling supported dock with a 6 ft. x 36 ft. piling supported dock, add 3 tie off piles to the easterly slip, and install a 14 ft. x 30 ft. seasonal canopy on an average of 204 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated December 06, 2012, as received by the NH Department of Environmental Services (DES) on January 22, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures except as noted on the approved plans.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), addition of tie off piles which do not add slips to the frontage.
2. The proposed modification provides less permanent construction of surface area over public water thus meeting Env-Wt 402.21.
3. The applicant has an average of 204 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2013-00315 BLAISLAKE LLC, JAKE BLAIS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Remove an existing 14 ft x 30 ft seasonal canopy adjacent to an existing 6 ft x 40 ft seasonal pier. Install a 20 ft x 40 ft seasonal canopy extending from the existing seasonal pier to an existing 15 ft 1 in x 36 ft boathouse with two exterior piers measuring 5 ft x 40 ft and 7 ft 6 in x 40 ft located on an abutting property.

DENY PERMIT:

Remove an existing 14 ft x 30 ft seasonal canopy adjacent to an existing 6 ft x 40 ft seasonal pier. Install a 20 ft x 40 ft seasonal canopy extending from the existing seasonal pier to an existing 15 ft 1 in x 36 ft boathouse with two exterior piers measuring 5 ft x 40 ft and 7 ft 6 in x 40 ft located on an abutting property.

With Findings:

Standards for Approval

1. Pursuant to Rule Env-Wt 402.21, Modification of Existing Structures, existing non-conforming structures shall not be modified unless the modification results in a reduction in environmental impact or in a reduction in the number of slips provided and the construction surface area over public submerged lands.
2. Pursuant to Rule Env-Wt 402.09, Structures Disallowed, boathouses over public submerged lands are prohibited.
3. Rule Env-Wt 501.02, Additional Data Required, (c), requires that applicants for shoreline structures provide plans that show the length and general contour of the frontage, all existing and proposed structures on the frontage, and the intended use of the structures.
4. RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions, I, (d), requires that applicants verify that abutters, as defined in the rules of the Department, and except as further provided in said rules, have been notified by certified mail.
5. In accordance with Rule Env-Wt 101.03, "Abutter" means any person who owns property immediately adjacent and contiguous to the property on which the project will take place.

Findings of Fact

1. On September 15, 2003, the Wetlands Bureau received a Standard Dredge and Fill Application for surface water impacts on the

lot identified as Wolfeboro tax map 227, lot 10, to construct a seasonal pier and a seasonal canopy adjacent to a boathouse over public waters located on an abutting frontage. The boathouse located on the abutting property, Wolfeboro tax map 227, lot 13, extends across the property line and encroaches on the frontage of lot 10.

2. Both lot 10 and lot 13 were, and currently are, owned by Blaislake, LLC.
3. Amended permit 2003-2088 for the construction of a 6 ft x 40 ft seasonal dock with a 14 ft x 30 ft seasonal canopy to be located 17 ft 2 in from the abutting boathouse over public waters was issued on December 27, 2004.
4. On January 28, 2013, the Wetlands Bureau received a Wetlands Permit Application for surface water impacts on the lot identified as Wolfeboro tax map 227, lot 10. Blaislake, LLC requested a permit to remove the existing 14 ft x 30 ft seasonal canopy adjacent to the 6 ft x 40 ft seasonal pier and install a 20 ft x 40 ft seasonal canopy extending from the seasonal pier to the 15 ft 1 in x 36 ft boathouse with exterior piers measuring 5 ft x 40 ft and 7 ft 6 in x 40 ft located on the abutting property.
5. The proposed seasonal canopy will span the entire space between the existing seasonal pier and boathouse as well as covering portions of both structures, thus modifying both structures and joining them into a single, continuous docking structure.
6. The modification of the existing boathouse must result in a reduction of environmental impact or a reduction in both the number of slips provided and the construction surface area over public submerged lands as required per Rule Env-Wt 402.21.
7. Where the docking facility located on lot 13 is being modified, all abutters to lot 13 should have been notified of the application by certified mail in accordance with RSA 482-A:3, I, (d).
8. There is no evidence in the file that the abutters to lot 13 have been notified in the required manner.
9. Where the docking facilities located on both lots 10 and 13 are being modified, the Applicant is required to submit plans showing the length and general contour of both frontages, as well as all structures and the intended use of the structures on both frontages.
10. The Applicant did not submit plans showing the required details of the frontage of lot 13.

Rulings in Support of the Decision

1. The addition of the larger seasonal canopy to the existing boathouse and seasonal pier will neither reduce the environmental impact of the structures nor the number of slips provided and construction surface area over public submerged lands. This application is, therefore, denied pursuant to Rule Env-Wt 402.21.
2. The application is denied because the Applicant failed to provide plans that show the length and general contour of the frontage, all existing and proposed structures on the frontage, and the intended use of the structures on both of the affected frontages as required pursuant to Rule Env-Wt 501.02.
3. The application is denied because the Applicant failed to notify all abutters to the project by certified mail as required pursuant to RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions, I, (d).

MINIMUM IMPACT PROJECT

2012-03165 STONEWELL REALTY TRUST
RYE Atlantic Ocean

Requested Action:

Impact a total of 980 sq. ft. within the previously developed upland tidal buffer zone for work associated with the removal of a deteriorated wooden deck and retaining wall and concrete patio and walkway. Construct a new 275 sq. ft. deck, boardwalk and utilize permeable materials to replace existing walkways.

Conservation Commission/Staff Comments:

No report or comments were received from the Rye Conservation Commission on this application.

APPROVE PERMIT:

Impact a total of 980 sq. ft. within the previously developed upland tidal buffer zone for work associated with the removal of a

deteriorated wooden deck and retaining wall and concrete patio and walkway. Construct a new 275 sq. ft. deck, boardwalk and utilize permeable materials to replace existing walkways.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated December 3, 2012, as received by the NH Department of Environmental Services (DES) on December 07, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/o further permitting by the Bureau.
3. DES wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on adjacent sand dune vegetation.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2013-00207 HOLMES, RAYMOND
SEABROOK Atlantic Ocean

Requested Action:

Perform construction activities within 5,000 sq. ft. (1747 sq. ft. permanent impacts) of previously developed/disturbed upland tidal buffer zone/sand dune to remove the existing dwelling and construct a new single family home.

APPROVE PERMIT:

Perform construction activities within 5,000 sq. ft. (1747 sq. ft. permanent impacts) of previously developed/disturbed upland tidal buffer zone/sand dune to remove the existing dwelling and construct a new single family home.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on January 16, 2013 and February 13, 2013.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.
4. Areas shall be regraded to original contours following completion of work.
5. No work shall occur outside the staked silt fencing that will negatively impact the hairy hudsonia (*Hudsonia tomentosa*) as identified on the approved plans.
6. The wooden boardwalk extending east from the property into the sand dune shall be removed prior to the completion of work.

Photo documentation shall be submitted to DES within 7 days following its removal.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The impacts are necessary to construct a new residential dwelling; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. No impacts will occur outside the lot lines; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Hairy hudsonia (*Hudsonia tomentosa*) is found immediately to the east of the property as stated in NH Natural Heritage Bureau (NHB) memo 12-3924. Three (3) plants were located and sectioned off in the southeast corner of the property and will not be impacted as result of the project.
6. In accordance with Env-Wt 304.04(a), the applicant obtained written concurrence from the abutter at 71 Atlantic Ave, Seabrook Tax Map 21 Lot 17-1 whose property is 20-feet from the proposed project.
7. The applicant was not able to obtain written concurrence from the Town of Seabrook for those impacts within 20-feet of the right-of-way to the south of the property.
8. The applicant requested a waiver of Env-Wt 304.04(a) as the applicant did not receive written concurrence from the Town of Seabrook.
9. DES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting property that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public and will cause an economic hardship to the applicant.
10. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

FORESTRY NOTIFICATION

2013-00325 RICHARDSON, TODD
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield, Tax Map #14, Lot #352-296

2013-00344 FINLEY, ROB
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Peterborough, Tax Map #7, Lot #2, Unit #9

2013-00399 TANA PROPERTIES
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst, Tax Map #2, Lot #26

2013-00440 **BEAVER BROOK FOREST LLC**
ALTON Unnamed Stream

COMPLETE NOTIFICATION:
Alton, Tax Map #19 & 24, Lot #44 & 5,12

2013-00451 **BAYROOT LLC**
ATK GIL GRANT Unnamed Stream

COMPLETE NOTIFICATION:
Atk Gil Grant, Tax Map #1628, Lot #2

2013-00453 **CHICK SR, WILLIAM**
MADISON Unnamed Stream

COMPLETE NOTIFICATION:
Madison, Tax Map #229, Lot #1 & 23

2013-00458 **DANIELS, RANDALL**
WALPOLE Unnamed Stream

COMPLETE NOTIFICATION:
Walpole, Tax Map #10, Lot #34

2013-00470 **WHITE SYLVANIA TRUST**
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich, Tax Map #R2, Lot #20

2013-00475 **LABSPHERE INC**
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton, Tax Map #7, Lot #704-474

EXPEDITED MINIMUM

2012-03257 CLOUES, EDWARD/MARY
WEBSTER Winnepocket Lake

Requested Action:

Permanently remove an existing structure located on the shoreline and construct a 358 sq. ft. perched beach on Winnepocket Pond, Webster.

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Permanently remove an existing structure located on the shoreline and construct a 358 sq. ft. perched beach on Winnepocket Pond, Webster.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers revision dated January 17, 2013, as received by the NH Department of Environmental Services (DES) on January 26, 2013.
2. This permit does not permit the construction of the patio. The patio construction requires a Shoreland Water Quality Protection Act permit.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 452). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 7 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (d), construction of a beach.

2013-00409 CONTEMPORARY & ADIRONDACK EXQUISITE HOME BUILDERS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Construct a 396 sq. ft. perched beach with less than 10 cubic yards of sand on 101 feet of shoreline frontage, Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Construct a 396 sq. ft. perched beach with less than 10 cubic yards of sand on 101 feet of shoreline frontage, Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on February 07, 2013.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach with less than 10 cubic yards of sand.

GOLD DREDGE

2013-00455 RIAN, CARL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00477 MCCUMBER, TIMOTHY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

ROADWAY MAINTENANCE NOTIF

2013-00436 DEPT OF TRANSPORTATION
WINDSOR Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:

Remove 24" x 45' culvert & install 36" x 45' culvert & construct stone aprons at inlet & outlet.

2013-00437 DEPT OF TRANSPORTATION BUREAU OF RAIL & TRANS
JACKSON Unnamed Stream

COMPLETE NOTIFICATION:

Extend a 15" RCP 10' in length and also replace the headwall.

2013-00438 DEPT OF TRANSPORTATION BUREAU OF RAIL & TRANS
JACKSON Unnamed Stream

COMPLETE NOTIFICATION:

Replace the headwall of a 30" culvert.

PERMIT BY NOTIFICATION

2013-00416 RAPPEPPORT, AMY/STEVEN
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form on Feb 05, 2013

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00417 LAPHAM, WAYNE
WOLFEBORO Rust Pond

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:
Con Com signed PBN form on Dec 20, 2012

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00418 WHY, HENRY
WOLFEBORO Lake Winnepesaukee

Requested Action:
Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:
Con Com signed PBN form on Dec 10, 2012

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00424 MERRELL, AUDREY MAE/DAVID
GILFORD Lake Winnepesaukee

Requested Action:
Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:
Con Com did not sign PBN form

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no

change in size, location or configuration.

2013-00430 **ROOD, JANE**
MEREDITH Lake Winnepesaukee

Requested Action:

Install a 6 ft. x 4 ft. concrete anchor pad for a seasonal dock, Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Install a 6 ft. x 4 ft. concrete anchor pad for a seasonal dock, Lake Winnepesaukee, Meredith.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ab), installation of a anchor pad for a seasonal dock.

2013-00462 **REYNOLDS, N CHESTER**
GILFORD Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN application

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2013-00236 **OSULLIVAN, ROBERT**
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 5,650 sq ft in order to construct a 6 foot path toward the reference line, install infiltration drains around the house, and remove an existing wall.

APPROVE PERMIT:

Impact 5,650 sq ft in order to construct a 6 foot path toward the reference line, install infiltration drains around the house, and remove an existing wall.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated January 6, 2013 and received by the NH Department of Environmental Services (DES) on January 16, 2013.
2. A wetlands permit shall be required prior to the start of work for the proposed perched beach, the removal of the wall within the bank, and any work within the jurisdiction of wetlands under RSA 482-B.
3. No more than 23.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,398 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00246 KENDRA J DAVIDSEN FAMILY TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 2,200 sq ft in order to construct 50 linear feet of retaining wall located 20 feet from the reference line, add fill, regrade area, and replant.

APPROVE PERMIT:

Impact 2,200 sq ft in order to construct 50 linear feet of retaining wall located 20 feet from the reference line, add fill, regrade area, and replant.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated December 26, 2013 and received by the NH Department of Environmental Services (DES) on January 17, 2013.
2. No more than 15.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 7,605 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. All plantings shown on the plan shall be planted within 30 days of the completion of the wall. The owner shall be responsible for monitoring the planting to ensure their survival and replacing any plants that fail to thrive for the first 5 years after construction of the wall.

2013-00248 PICCIRILLO, DONALD/JOYCE
SALEM Canobie Lake

Requested Action:

Amendment Description: Language correction. Impact 4,280 sq ft in order to add an in-law apartment to existing single family dwelling and replace septic system.

APPROVE AMENDMENT:

Impact 4,280 sq ft in order to add an in-law apartment to existing single family dwelling and replace septic system.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated January 3, 2013 and received by the NH Department of Environmental Services (DES) on January 17, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 23.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

Requested Action:

Impact 4,280 sq ft in order to add an inlaw apartment to existing single family dwelling and replace septic system.

APPROVE PERMIT:

Impact 4,280 sq ft in order to add an inlaw apartment to existing single family dwelling and replace septic system.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated January 3, 2013 and received by the NH Department of Environmental Services (DES) on January 17, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 23.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00276 HUNTER, NICKIE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 4,949 sq ft in order to construct a 40 ft x 30 ft camp, an 8 ft x 10 ft shed, a 6 ft wide path toward the reference line, and install a septic system.

APPROVE PERMIT:

Impact 4,949 sq ft in order to construct a 40 ft x 30 ft camp, an 8 ft x 10 ft shed, a 6 ft wide path toward the reference line, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Nickie Hunter dated January 19, 2013 and received by the NH Department of Environmental Services (DES) on January 22, 2013.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,900 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2012-03294 HENDERSON, BONNIE/EDWARD
NEW LONDON Sunapee Lake

Requested Action:

Impact 710 sq ft in order to convert garage to office and fitness space, install sewer and water lines, and remove hazardous trees within the woodland buffer.

APPROVE PERMIT:

Impact 710 sq ft in order to convert garage to office and fitness space, install sewer and water lines, and remove hazardous trees within the woodland buffer.

With Conditions:

1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated January 17, 2013 and received by the NH Department of Environmental Services (DES) on February 12, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,483 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00233

US DEPT OF AGRICULTURE FOREST SERVICE

ALBANY Swift River

Requested Action:

Impact 95,000 sq ft in order reconstruct parking lot, improve drainage, redefine trails, and construct a new boardwalk.

APPROVE PERMIT:

Impact 95,000 sq ft in order reconstruct parking lot, improve drainage, redefine trails, and construct a new boardwalk.

With Conditions:

1. All work shall be in accordance with plans by The LA Group dated January 11, 2013 and received by the NH Department of Environmental Services (DES) on January 16, 2013.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. No more than 19.99% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 53,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.